

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

4/6/23

-----X
PROTECTIVE LIFE INSURANCE
COMPANY,

Interpleader Plaintiff,

v.

CHERYL MEHRKAR; and STACY N.
PREVITE, as Personal Representative of THE
ESTATE OF ANTHONY LOUIS PREVITE,
Interpleader Defendants.
-----X

**DEPOSIT ORDER AND
ORDER**

22 CV 10275 (VB)

As discussed at a conference held on the record today, at which counsel for plaintiff and counsel for defendant Stacy N. Previte appeared, and at which defendant Cheryl Mehrkar failed to appear, it is HEREBY ORDERED:

1. Pursuant to 28 U.S.C. § 1335 and Fed. R. Civ. P. 67, the Clerk of Court shall accept and deposit the sum of \$54,902.00 from plaintiff into the Disputed Ownership Fund in the Court Registry Investment System, pending further order of the Court. By **May 8, 2023**, plaintiff shall deposit the sum of \$54,902.00 with the Clerk.

2. By **May 8, 2023**, Previte shall file a motion for summary judgment.

3. By **May 22, 2023**, Previte shall (i) serve her motion for summary judgment, and all supporting papers, on Mehrkar by certified mail, return receipt requested. By **May 29, 2023**, Previte shall file proof of service on the docket.

4. By **June 7, 2023**, Mehrkar shall file her opposition to Previte's motion for summary judgment, if any.

5. By **June 21, 2023**, Previte shall file her reply, if any.

6. The Clerk is directed to (i) vacate the Clerk's Certificate of Default as to Previte (Doc. #16), and (ii) terminate Previte's cross-motion to set aside the certificate of default. (Doc. #24).

Dated: April 6, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge